REMARKS

Claims 1-8 and 16-23 have been examined in the application. Claims 9-15 have been

withdrawn from consideration.

In reply to the Response filed May 6, 2004, the Examiner removed the double patenting

rejection. However, the prior art rejections are repeated. Thus, the status of the claims is the

following.

Claims 1-7 and 16-22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over

previously-cited Isomursu et al. (US 6,400,958, hereafter "Isomursu") in view of previously-

cited Liao (US 6,185,208). Claims 8 and 23 are rejected under 35 U.S.C. § 103(a) as being

unpatentable over Isomursu and Liao in view of previously-cited Ayabe et al. (US 6,141,550,

hereafter "Ayabe").

Applicant respectfully traverses the rejections with the following comments.

Claim 1 recites segmenting input message data into a plurality of short message data

fields and inserting a segmented message data field, a field indicating the number of segmented

short messages and a field indicating a current short message number into the user data field. In

the Response filed May 6, 2004, Applicant argued that Liao does not teach inserting a field

indicating the number of segmented short messages into the user data field. In the "Response to

Arguments," the Examiner responds to this argument by asserting that col. 6, lines 57-61 of Liao

indicates the last short message and therefore the total number of messages. Applicant

respectfully disagrees. The cited excerpt discloses that when the last fragment is received, a flag

in the last segment is turned on to indicate the end of the message. However, the turning on of a

flag does not correspond to inserting a field. Furthermore, indicating the end of a message does

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not correspond to <u>indicating the number of segmented short messages</u> into the user data field.

Therefore, claim 1 is allowable over the prior art.

Also, claims 2-7 are allowable over the prior art, at least because of their dependence

from claim 1.

With respect to claim 5, Applicant has the following additional comments. In the May 6

Response, Applicant argued that Isomursu fails to teach or suggest the feature of inserting a

reference number field, which indicates a number for referring to a type of data connection

service employed, into a position next to the data connection service identifier in the user data

field. Instead, Isomursu only discloses inserting an application identifier into the INFO field.

Moreover, the INFO field does not correspond to the user data field recited in the claim. Rather,

the INFO field is an information field of the short message transmission frame containing the

actual short message in characters. See col. 6, lines 34-38 of Isomursu.

The Examiner does not rebut this argument. Rather, the Examiner responds in the

"Response to Arguments" by asserting that the reference number field is a non-functional

limitation because the Applicant's specification does not provide details as to how or even if the

reference number field is processed at the receiving end. Further, the Examiner asserts that

Isomursu teaches a data connection service identifier as cited above, i.e., the application

identifier. In response to the Examiner's assertions, Applicant provides the following arguments.

First, the present specification describes the inserting of the reference number field on

page 7, line 22 – page 8, line 10. The reference number field is illustrated in FIG. 6 of the

present application. All of the features of claim 5 are entitled to patentable weight, as recited in

the claim. The recitation in claim 5 of inserting a reference number field, which indicates a

number for referring to a type of data connection service employed, into a position next to the data connection service identifier in the user data field is one of the steps of the claimed data sending protocol. The claim does not need to recite how the reference number field is processed at the receiving end. Such processing is not part of the claimed invention.

Second, claim 5 does not simply recite a data connection service identifier. Thus, whether Isomursu discloses a data connection service identifier does not resolve the issue of whether Isomursu discloses the features of claim 5. In other words, providing a data connection service identifier in Isomursu does not correspond to inserting a reference number field, as claimed in claim 5. Thus, claim 5 is allowable for the reasons described in the May 6 Response.

Additionally, claim 20 is allowable over the prior art for reasons analogous to those for claim 5.

Also, Applicant submits that claim 8 is allowable over the prior art, at least because of its dependence from claim 1, and because Ayabe does not make up for the deficiencies of Isomursu and Liao.
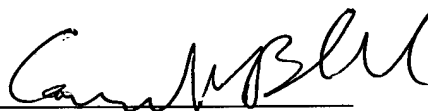
Furthermore, claims 16-23 are allowable over the prior art for reasons analogous to those presented above for claims 1-8.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue

Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

overpayments to said Deposit Account.

Respectfully submitted,

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23373

CUSTOMER NUMBER

Date: October 28, 2004